

***City of Burien***

**BURIEN PLANNING COMMISSION MEETING**

June 12, 2007

7:00 p.m.

City Council Chambers

**MINUTES**

**Planning Commission Members Present:**

Robert Simpson-Clark, Jim Clingan, Stacie Grage, Rebecca McInteer, Janet Shull, Michael Sumner

**Absent:**

Jon Newton

**Others Present:**

David Johanson, senior planner; Gerry Lindsay, minutes taker

**Roll Call**

Chair Simpson-Clark called the meeting to order at 7:12 p.m. Upon the call of the roll all commissioners were present with the exception of Commissioner McInteer, who arrived at 7:23 p.m., and Commissioner Newton.

**Agenda Confirmation**

Motion to approve the agenda as printed was made by Commissioner Clingan. Second was by Commissioner Shull and the motion carried unanimously.

**Public Comment**

Councilmember Rose Clark noted that she along with Mayor McGilton and Councilmember Shaw served on the Planning Commission during the time the original Comprehensive Plan was developed. The language of that document called for a mix of housing types to accommodate residents at a variety of income levels; that plan was adopted in 1997 and has guided the City since then. At the time the City was struggling with the issue of the third runway, and one focus was on informing the region how much Burien was being economically injured.

In 1999, the Port of Seattle purchased the Lora Lake Apartments. Using federal relocation dollars, the Port moved all of the tenants out of the apartments and the building was vacated. The King County Housing Authority came to the City Council in 2000 saying it would be a shame to tear down the apartments; at the time there was some thought that the third runway project would be stopped. The City worked with the Port to hammer out a deal to keep the apartments open for five years, giving management of them to the King County Housing Authority. It was noted that because the Port had already used its relocation dollars to move the tenants out that they would not be able to assist in moving tenants out again in five years. Under the agreement, the King County Housing Authority had every new tenant sign a contract in which it was clearly stated that by a date certain the housing units would go away and that they would need to find a new place to live.

Continuing, Councilmember Clark said when the five-year agreement ended, construction of the third runway was running behind schedule, so the agreement was extended for two more years to the middle of July 2007.

The King County Housing Authority recently sent to the Port of Seattle a letter stating that they are working with King County to keep the Lora Lake Apartments open permanently and to construct additional units on the site of the old bowling alley. The City of Burien did not receive a copy of the letter from the King County Housing Authority.

The position of the City Council since being made aware of the position of the King County Housing Authority has been that the area is an inappropriate place for people to live. The site is very close to the location of the third runway. Burien and the Port of Seattle both have adhered to their parts in the contract that has kept the apartments open. The Port has begun accepting bids for tearing down the buildings, and the City agrees that the demolition should proceed.

King County Executive Ron Sims has threatened to remove the transit-oriented development project at the park-and-ride lot site from the mix of recommended projects if Burien does not go along with the fight to keep the apartments open. The City is working diligently on that issue with the county, and the City has found several elected officials understand the City's position.

Chair Simpson-Clark asked what the City's involvement in the issue is given that the property is owned by the Port of Seattle and is the contracting party with the King County Housing Authority.

Councilmember Clark explained that Burien controls the zoning on the land, and the established zoning for the area prohibits new residential uses; existing residential uses can be remodeled but they cannot be expanded.

Commissioner Sumner asked if the King County Housing Authority has a plan to construct elsewhere an equal number of units if the Lora Lake buildings are, in fact, torn down and the tenants are displaced. Councilmember Clark said the King County Housing Authority has presented to a King County Council subcommittee a document indicating that they have a place for all of the Lora Lake residents to go. The main problem appears to be that King County through the Committee to End Homelessness is not meeting its affordable housing targets.

Chair Simpson-Clark said it appears the City Council is taking all of the appropriate political steps and has been consistent in rezone actions to make sure that all areas in the city zoned for housing are in fact appropriate for housing regardless of income levels.

Commissioner Shull it has always been her understanding that the City has wanted to work in conjunction with the King County Housing Authority. It has been shocking to read the news accounts that the City is being held up to be the bad guy. There are a number of opportunities for the King County Housing Authority to gain new housing units in the city of Burien, and hopefully the Lora Lake Apartments debacle will not get in the way. Councilmember Clark said the City will be delighted to work hand-in-hand with the King County Housing Authority.

Commissioner Shull commented that the transit-oriented development project will benefit residents from a variety of income levels and should not be used as a threat. Councilmember Clark said her understanding is that the King County Council will be pressuring Executive Sims to back off from holding the transit-oriented development project hostage.

Commissioner Clingan praised the City Council for taking a strong and united stand on the correct side of the issue. Undoubtedly the media coverage that has put Burien in a bad light has been frustrating.

Anyone who has any doubts about the inappropriateness of the area for housing should simply visit the Lora Lake Apartments complex and see for themselves.

### **Approval of Minutes**

May 22, 2007

Motion to approve the minutes as submitted was made by Commissioner Shull. Second was by Commissioner Clingan and the motion carried unanimously.

### **Old Business**

#### **A. 2007 Comprehensive Plan Amendments**

Senior Planner David Johanson reminded the commissioners that the first step in the Comprehensive Plan amendment process is to establish the Comprehensive Plan docket. The date for submitting amendments has closed. The docket must be established by the Planning Commission prior to July 1.

#### *Ref. No. 2007-8, 18017 Des Moines Memorial Drive South*

Mr. Johanson explained that the proposal involves a site on Des Moines Memorial Drive South and seeks to change the Comprehensive Plan and zoning designation from Industrial to Intersection Commercial. A proposal to change the same site from Industrial to RM-24 was submitted in 2006 but was denied. The recommendation of staff is to include the item on the 2007 docket.

Phil Kitzes with ESM Consulting Engineers, 283915 First Way South, Suite 200, Federal Way, said after the 2006 proposal was denied he sat down with city staff to discuss the merits and negative aspects of the proposal. It was agreed that the property, had it been sold by the current owner, could have developed with almost 80 multifamily units. No one at the table was interested in that outcome. Intersection Commercial makes the most sense for the site in that it meets all requirements while allowing the property owner to develop a mixed-use, neighborhood-friendly office/commercial center while serving as a transition area to the adjacent land uses. The site is served by two arterial connections, and has the necessary infrastructure in place to serve the proposed zoning. Under the current proposal, the maximum number of residential units the site would be allowed is 22.

Continuing, Mr. Kitzes said it is the intention of the property owner to develop with site in a way that will wow people coming into Burien from the south. The development will be pedestrian-friendly and will encourage small business owners to move to Burien.

Commissioner Shull asked if the development project will look essentially the same as what was shown to the commission in 2006. Mr. Kitzes allowed that it will; all of the proposed uses are allowed in the Intersection Commercial zone.

Motion to include the proposed amendment on the docket was made by Commissioner McInteer. Second was by Commissioner Shull and the motion carried unanimously.

#### *Ref. No. 2007-9, 15525 1st Avenue South*

Mr. Johanson explained that the proposal is to change the Comprehensive Plan designation from High Density Multifamily Neighborhood to Regional Commercial, and to rezone the property on 1st Avenue South from RM-24 to Regional Commercial. The property is currently bisected by a zoning designation.

The City has a provision to adjust lines in such cases, but the subject property exceeds the threshold for moving a zoning line. He said the recommendation of staff is to include the proposal on the 2007 docket.

Commissioner Shull asked if other properties along 1st Avenue South might be facing a similar situation. Mr. Johanson said a site a block or two north of the RM-24 zone on 1st Avenue South may face a similar circumstance but was not absolutely sure this is the case. The properties contiguous to the subject property do not have the same issue.

Commissioner Shull asked if the Regional Commercial zone permits the development of residential in a mixed-use setting, and Mr. Johanson allowed that it does.

Answering a question asked by Chair Simpson-Clark, Mr. Johanson said the subject property is one tax parcel, which is different from a legal lot. Whether or not the three lots have been combined into a single lot will need to be determined if the matter is included on the docket.

There was consensus to include the proposal on the 2007 docket.

*Ref. No. 2007-1, Downtown Parking Policy Amendments*

Mr. Johanson said the recommendation of staff is to include on the 2007 docket the proposal to amend the Comprehensive Plan to reflect the findings of the parking study.

*Ref. No. 2007-2, Policy SE 1.2, Adoption of Design Guidelines*

Mr. Johanson explained the need to amend the policy to reflect that design guidelines have been adopted for Old Burien.

*Ref. No. 2007-3, Shoreline Policy Amendments*

The commissioners were informed that a number of jurisdictions in King County are required to update their Shoreline Master Program. Part of that action may result in the need to amend the shoreline policies in the Comprehensive Plan. The City has received a grant in the amount of \$117,000 to be used for the work.

*Ref. No. 2007-4, North Highline Potential Annexation Area*

Mr. Johanson said the placeholder is intended to reserve the ability to adjust the PAA as necessary during 2007.

*Ref. No. 2007-5, Town Square Park*

Mr. Johanson said the proposal is intended to adjust the Comprehensive Plan map to indicate the new Town Square park and designate it as a public facility.

*Ref. No. 2007-6, Special Planning Area-4*

The commission was told that a Comprehensive Plan amendment will be needed to allow for retail uses in the SPA-4 area, which is the Northeast Redevelopment Area. Mr. Johanson said it will be beneficial to have as much flexibility as possible in the Northeast Redevelopment Area in order to be competitive in attracting uses. The Port of Seattle is receptive to the notion of allowing retail uses in some areas. The

Port is not the primary owner in the Northeast Redevelopment Area, though when the buy-out is complete it will have completed a significant assemblage of land to accommodate new uses.

*Ref. No. 2007-7, Moshier Park*

Mr. Johanson explained that there has been a request to purchase the property. The site is designated in the Comprehensive Plan as public park and recreation, and the parks department has indicated it has no real use for the property. If sold for private development, the site will need to be redesignated for a residential use.

Motion to include each item on the 2007 docket Ref. Nos. 2007-1 through 2007-7 was made by Commissioner Clingan. Second was by Commissioner Shull and the motion carried unanimously.

Commissioner Clingan suggested that because there is a need for more affordable housing options in the city, the time may be right to revisit the issue of accessory dwelling units citywide. There may be some ADUs that did not get properly permitted in the past.

Mr. Johanson pointed out that in order to include the matter on the docket there would need to be a specific Comprehensive Plan policy issue. Commissioner Clingan said he has not reviewed the current policies in detail.

Chair Simpson-Clark suggested adding the issue to the commission's work program with an eye on considering specific Comprehensive Plan changes in 2008. Mr. Johanson allowed that housing is on the work program and the ADU issue could potentially be a part of that discussion.

Commissioner Clingan observed that the issue of contract rezoning came up as part of the Northeast Redevelopment Area on a case-by-case basis for light commercial development. He suggested that a discussion of the requirement to have a minimum of two acres of land should be brought to the table. Lowering the requirement to one acre may serve to get the ball rolling. The issue could be brought up during the discussion about retail uses in the Northeast Redevelopment Area. Mr. Johanson said the retail discussion is very narrowly construed and if the commission wants to consider amending the land area requirement it should be discussed on its own.

Commissioner Clingan explained that about four years ago the policy put in place for the Northeast Redevelopment Area required that a minimum of two acres of land is necessary in order to move forward with a contract rezone.

Mr. Johanson explained that the vision of the Comprehensive Plan for the Northeast Redevelopment Area is to transition to airport-compatible uses. There would be drawbacks, however, to implementing a blanket rezone for the entire area. Under the contract rezone or development agreement approach, approval can be given for redevelopment, but an action to rezone the property is not initiated until the redevelopment is completed. Acting on the advice of consultants, the City approved a two-acre minimum for contract rezones as a means of assuring that all new uses will be in line with the vision for the area with regard to the scale of new uses.

Commissioner Clingan proposed that lowering the minimum to one acre could make the notion of retail more feasible.

Commissioner Shull allowed that the current two-acre requirement discourages small scale development. However, redevelopment on sites smaller than two acres could usher in a scenario of uses that will compete with the downtown and other retail and office areas. The vision for the Northeast

Redevelopment Area is for larger scale uses, and it may take a while to get there. There are other places in the city where uses suitable to one-acre parcels are permitted. She said she has concerns about allowing retail uses at all in the Northeast Redevelopment Area; if they are allowed, there should be restrictions on the amount or where they might be allowed.

Mr. Johanson allowed that retail uses carry with them their own unique set of impacts that will need to be carefully considered. Traffic is the primary impact and where there are retail uses there is a need for adequate infrastructure so that impacts on adjacent neighborhoods are minimized.

Chair Simpson-Clark suggested that the two-acre minimum issue may be a bit premature given that the discussion regarding allowing retail uses should occur first. His proposal to include the discussion on the work program for 2008 was agreed to by the commission.

**New Business** – None

**Director's Report**

Mr. Johanson reported that the Parks Department is putting together a planning committee for the community center master plan. He distributed application forms to the commissioners and said they must be turned in by 4:00 p.m. on June 21.

**Adjournment**

Motion to adjourn was made by Commissioner Shull. Second was by Commissioner Sumner and the motion carried unanimously.

Chair Simpson-Clark adjourned the meeting at 8:23 p.m.

Approved: \_\_\_\_\_

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Robert Simpson-Clark, chair  
Planning Commission